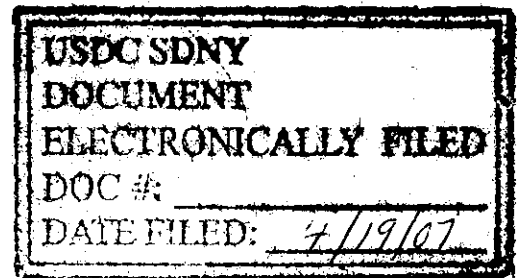


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
DAVID PODHASKIE,

Plaintiff,

-against-

METROPOLITAN TRANSPORTATION AUTHORITY; :
METROPOLITAN TRANSPORTATION AUTHORITY :
POLICE DEPARTMENT; CITY OF NEW YORK, et al., :

Defendants. :
----- x

07 Civ. 0409 (SHS) (AJP)

**ORDER OF PARTIAL DISMISSAL
ON CONSENT**


ANDREW J. PECK, United States Magistrate Judge:

The parties having informed the Court that plaintiff and the Metropolitan Transportation Authority ("MTA") defendants have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs against the MTA defendants, provided, however, that plaintiff may reinstate the action against the MTA defendants within 15 days hereof if the settlement is not fully effectuated.

The case remains open against the City of New York and the New York City Police Department. The May 18, 2007 at 9:30 a.m. status conference remains in effect for plaintiff and the City defendants.

SO ORDERED.

DATED: New York, New York
April 19, 2007



Andrew J. Peck
United States Magistrate Judge

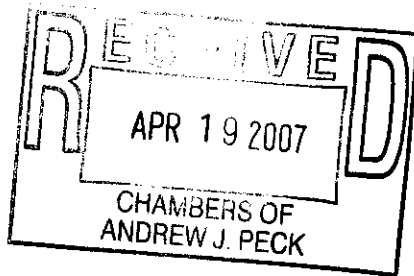
Copies **by fax & ECF** to: Jason A. Steinberger, Esq.
Paul A. Krez, Esq.
Suzette C. Rivera, Esq.
Judge Sidney H. Stein

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BRONX, N.Y. 10431
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April 17, 2007

Honorable Andrew J. Peck
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1370
New York, NY 10007

Re: David Podhaskie v. Metropolitan Transportation Authority, et al.
Docket: 07 CIV 409

Dear Sir,

Please be advised that the Plaintiff, David Podhaskie and Defendants Metropolitan Transportation Authority, Metropolitan Transportation Authority Police Department, Detective Haydee Urena shield number 1001 and Detective John Doe shield number 0000, the person being the partner of Detective Urena, have reached a settlement of \$5,000 in the above-entitled action.

As of the date of this letter, no settlement has been reached with Defendant City of New York.

Be further advised that all necessary paperwork is being drafted and will be sent to the appropriate parties as quickly as possible.

Very truly yours,

Jason A. Steinberger

JAS//

cc: Paul Krez
Attorney for Defendant
MTA, MTA Police Department, Det. Haydee Urena and Det. John Doe
225 Broadway
Suite 2199
New York, NY 10007

Fax: (212) 766-9035

**Suzette Rivera
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Attorney for Defendant
City of New York
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